

# WHITMORE JURORS DISCHARGED; FAIL TO AGREE IN 21 HOURS

## Prisoner in Happy Mood When the Judge Remands Him to Jail—Will Be Placed on Trial for His Life Again in December.

After deliberating for twenty-one hours, the jury in the case of Theodore S. Whitmore, in Jersey City, reported a disagreement, and was discharged at noon today. Whitmore was sent back to jail, and will be tried again for the murder of his wife, Helena, in December.

Judge Swayze sent the jurors back to their room time after time before he would accept a mistrial. The jury took twenty-eight ballots, and the poll did not change on any of them, standing from the start, one for murder in the first degree, two for murder in the second degree and nine for acquittal.

Whitmore, who collapsed utterly last night when he appeared to be a prospect that the jury would bring a verdict of guilty, had recovered his nerve when court opened this morning. He received reports from his lawyers during the night that made him sure of a disagreement.

"Can't Keep Trying Me Forever."

"They should have turned me out," declared the prisoner after the jury had been discharged. "The fact that nine of them were convinced of my innocence shows that the evidence was all in my favor. The worst I can get on the next trial is another disagreement, and they can't keep on trying me forever."

Whitmore's father and his brother Elias, who have been staunch in his support, were overjoyed at the disagreement. They had feared that Judge Swayze would threaten the jurors, busy considering the evidence until the long strain would force a compromise verdict, sending Whitmore to prison.

Whitmore's breakdown happened at 8.35 o'clock last night when the jury had been out almost seven hours. Foreman Jenks sent word to Judge Swayze that he wished to make a report.

The court-room was crowded. Whitmore, whose yellow streak had been kept in subjection by the weakness of the prosecution's case, could not control himself as the jurors, grave of face and deliberate, filed into the room.

Whitmore sobbed and moaned. Bowing his head, the prisoner sobbed and moaned. He called upon his dead wife to look down upon him and have mercy. The foreman asked Judge Swayze some questions on points of law and the evidence, and while the colloquy went on Whitmore sobbed and quivered in his chair.

The jurors retired again and Whitmore's nerves completely deserted him. "It's all over," he moaned. "They'll get me."

Two deputy sheriffs practically carried him out of the courtroom. He was unable to stand unaided. For an hour after he got back to his cell in the jail he was in the throes of hysterical fear. All his jauntiness and egotism had returned when he was brought into court at 9.45 o'clock this morning, when Judge Swayze had arrived to hear from the jury again. The foreman reported that they had been unable to agree to a verdict and were anxious to be discharged. Judge Swayze said he would send them back for one more try.

An Agreement Impossible.

Shortly before noon the jury sent word to the Court that an agreement was impossible. Judge Swayze ordered that the prisoner be brought in and sent for the jury.

"I desire to know," said Judge Swayze when the jurors were seated in the box, "if there is any way I can enlighten you on the law or doubtful evidence."

"I think not," replied the foreman. "We seem to be hopelessly divided. Our minds are made up."

"I do not question," said the Court, "that you have made an honest effort to arrive at a verdict in this case. But you know that a disagreement will mean that the county will be put to the expense of another trial."

"We have considered that," declared the foreman. "We have considered everything and cannot agree. We are divided. I shall have to discharge you," said Judge Swayze. "I regret that you cannot agree and thank you for the honest efforts you have made in the trial."

Whitmore wore a broad grin all through the conversation between the foreman of the jury and the Court. There were not more than thirty persons in and around the court-room when the case was disposed of.

Oh Mr. Jerome!

To ANY Person Who May Soon  
Be Out of Employment:

As The World has a daily circulation in New York City DOUBLE that of ANY OTHER Morning newspaper—greater than that of ANY TWO OTHERS COMBINED;

And as a "Situation Wanted" Ad. in The World costs but 25c. (for 12 words);

And as it is much cheaper to pay 25c. than to remain out of employment;

YOUR DUTY TO YOURSELF IS PLAIN!

# FIBUSTER ENDS, CURRICY BILL ASSESSENTE

## Stone Surrenders, Gore Wins Up Fight and Vote Is Rushed Through.

WASHINGTON, May 30.—The Senate filibuster on the Currency bill was ended late this afternoon and a conference report was adopted. This left the way clear for final adjournment and the Senate will, according to program, bring the session to a close this evening. The House will also adjourn.

The beginning of the end of the filibuster came when Senator Stone, who followed Senator La Follette, and the latter concluded his record-breaking speech, and who had threatened, with the aid of Senator Gore, to keep the Senate up another full night, surrendered at 2.15 P. M. today.

Mr. Stone had talked seven hours, and was still in a verbose mood when he suddenly ceased his speech and yielded the floor to the Oklahoma Senator. The latter announced that he would consume two hours, and Senator Clay and Bacon gave notice that they would make brief addresses. This plan was followed.

Could Not Hear Him.

Senator Stone, who started out by declaring he would speak sixteen hours, La Follette having taken up eighteen hours and forty-three minutes, soon started a revolt by the low tone in which he spoke, nobody ten feet away from him being able to hear his voice.

His speech consisted almost entirely of the reading of newspaper clippings and the Senate, Republicans and Democrats alike, were plainly nettled throughout and all showed it, interruptions being frequent.

At 12.30 P. M. Senator Aldrich moved a recess for lunch, but the real purpose was to give the Democrats a chance to work on Stone in the hope of getting him to wind up his talk.

When the Senate reconvened, the report went around that Stone was abusive and fully determined to talk for the remainder of the session.

Hence, when after a squabble over a question of Senate rules raised by Senator Foraker, the Missouriian suddenly ceased talking and gave the floor to Gore, there was general surprise.

Whatever else has been accomplished by Senator La Follette in his filibuster in the Senate against the adoption of the Currency bill, it was to bring about the resignation of Senator Stone, who had been speaking almost continuously for eighteen hours and forty-three minutes, and his voice seemed to be almost as fresh as when he began.

Allen Has Next Record.

The previous record for long speech in the Senate was made by former Senator Allen, of Nebraska, who opposed the repeal of the silver purchase clause of the Sherman act, talked fourteen hours, and he was aided by other Senators, who took much of the strain from his voice by frequently reading extracts from documents.

This filing was made after there had been a long and bitter fight in the Senate, and was aided by the fact that there had been no business intervening since the former act, debate being held not to business. After Mr. La Follette had been twice recognized by the Chair on an old ruling, invoked a number of years ago at the suggestion of former Senator David B. Hill, of New York, to the effect that a Senator cannot speak more than twice on a subject in one legislative day unless other business intervenes, was brought up.

Senators Run Away.

As the session will continue the currency discussion until the legislative date of May 29, Mr. La Follette realized that he could not get the floor again if he surrendered it. As a result, he gave an unprecedented exhibition of endurance. His achievement is all the more remarkable for the reason that his own effort and he had but few supporters in the Democratic ranks.

The night was one that will long be remembered by Senators. The heat in the chamber was oppressive and the attempts to maintain a quorum prevented the fifty odd Senators now in the city from getting rest. Finally the sergeant-at-arms was directed to keep these Senators at the Capitol, which was an almost impossible task. As soon as some of them were brought in they would answer to their names and depart for their homes.

The Republican leaders were particularly anxious that Senators Stone and Gore should not be permitted to get an undisturbed night's rest, and they were routed out of bed by the deputy sergeant-at-arms of the Senate. They were brought into the chamber half-dressed, but they did not remain long enough for their disability to be generally noticed.

Punch and Sandwich.

Throughout the day and night Senator La Follette sustained himself on a punch of egg and milk, and on one occasion during a roll-call he ate a sandwich. He looked as if he could not speak for the most part his speech was delivered in a conversational and dispassionate tone.

Mr. La Follette, at 7.00 A. M., announced that he was "reluctant" to yield the floor, but he realized that the other Senators desired to speak. Messrs. Aldrich and Stone arose simultaneously, the former being recognized. He moved that the vote be taken on the pending question, the adoption of the conference report, the day and hour being called. This motion was carried and Mr. Aldrich yielded the floor to Mr. Stone, who began his remarks.

Drill at Clason Point Postponed.

Owing to the bad weather the annual exhibition of military drill by the cadet battalion of Clason Point Military Academy has been postponed until tomorrow, Sunday, May 31, at 3.30 P. M. All the exercises of the programme will be carried out. As the drill exercises are postponed the necessitated the postponement of the

# Woman Holding Baby Murders the Man Who Attacked Daughter

(Continued from First Page.)

ers, and being accustomed to Italians in the section who do not speak English the officers didn't detain him but took on down the road until they met the two boys, who told them what had happened.

After remaining with the body and Hayden galloped back to the house.

Set Rooking the Baby.

"There was the woman," he told a reporter for The Evening World, "sitting in a rocking chair nursing her baby with the dog and the little girl playing on the floor as if nothing had happened. She was calm enough until I tried to talk to her. Then she broke out in a storm of Italian and became hysterical."

When her son John arrived, her husband was in the room for the day and night. Hayden joined Patrolman Hayden. Mrs. Phillips lost all control of her emotions. She wept the floor and screamed all the while holding her baby and shriekingly admitted the whole story to her son, who translated it to the policeman.

"I could not stand it," she cried. "It was too much for me. I was so tired and I was so afraid. I do not want to live—let me die." She had the floor as if nothing had happened and she rushed to get it, but was prevented from using any street through the woman raved and screamed. Her six children accompanied her, and she held the pennies clutched in her little fist.

answered the officer's questions. Again the woman admitted killing Maro, and again she said she was glad she had done it but did not want to live.

Took Baby From Her.

She became so hysterical that it was feared she would do harm to her infant, and after a struggle the policeman ordered the infant returned. She took it tenderly in her arms, crooned over it, and winked into a seat, and seemed calm but continued to weep silently.

Dr. Plagmeyer, from the Bradford street hospital, examined Maro's body. There was not even a convulsion. The child, however, perished in the same story who had told her mother, when questioned by the police.

She said she was at the station when she held the pennies clutched in her little fist.

admits HE TOOK

\$500,000 FROM

HOSPITAL FUNDS

But He Hadn't a Cent in His

Pockets When He Was

Arrested.

Two days ago information came from a Little Italy stool pigeon to Detective Caputo and Molloy, of Joe Petro's Italian squad, that a man who had defaulted from the old country with a big sum of money was residing in the neighborhood of Five Points. Since then the two sleuths have been on the look out for the suspect. This afternoon they found him in a drug store at No. 86 Mulberry street.

At Headquarters he owned up. He said he was Arturo Ronchi, thirty-four years old. He admitted on Jan. 17, he had fled to Paris after making away with \$25,000, or about \$50,000 in American money, of the reserve funds of the United Hospitals for Cripples in Naples, of which he was treasurer. He said at the beginning he had been induced to lend large sums to a friend for speculation. One investment after another turned out badly. When Ronchi found he was too deeply involved to hope to recoup he took what remained in the treasury—about \$5,000—fired and ran away. From Paris he started on Feb. 2 for New York, where he has been ever since.

When he was arrested he did not have a cent in his pockets. Last night he spent on a sack lunch and he had gone into the Mulberry street drug store to borrow a quarter when the detectives accosted him. He had spent about \$12.00 in riotous living since he got here. Where the rest of his spoils had gone he could not say. He refused to say where he was hiding his money.

Ronchi is a well-dressed, refined man who speaks French and Spanish, as well as he does Italian.

MINISTERS WITH

BIBLE AND PISTOL

ROUT BRIGANDS

History Partially Repeats It-

self on the Road to

Jericho.

The story of a highway hold-up with unusual trimmings was brought here today by the Rev. George Bailey, of Washington, D. C., and the Rev. Norman MacLeod, of Rockville, Ontario, passengers on the White Star liner "Othello" from Liverpool. They are back from a trip which began with the cruise of the steamer Arabic from this port. It was while in the foundations of the ruins of the ancient City of Egnessus, in Asia Minor, that Mr. Bailey, with two other ministers, saw a goodly detachment of brigands chasing their prey.

When Bailey told MacLeod of the occurrence the latter bought a big American revolver, and some days later started out with five other ministers from Jerusalem on the famous road to Jericho. On this road at Mar Saba, MacLeod was traveling on horseback, a goodly detachment of brigands, who were three Bedouin bandits, stopped him. MacLeod said:

"Here, don't touch me. There's five more coming. Wait for the horse to get on the road. The brigands halted. The narrative is here taken up by John W. Shino, of Seattle, St. Mar. He said:

"The brigands halted the arrival of five with joy. Then the Rev. Mr. Bailey pulled out his Bible and said: 'Well, well, robbers on the road to Jericho. So it ever has been, even according to the gospel of St. Paul. Thereupon he opened the Bible to prove to the robbers that they were not to touch him. The robbers were so much amazed that they did not touch him. He took a better look at the strange gentlemen with the odd collars. Then Mr. MacLeod whipped out his revolver and the brigands made a dash for it."

GOV. CLINTON'S

BODY RESTS IN

CITY OF BIRTH

Kingston Pays Tribute to

State's First Executive, Noted

Men Participating.

KINGSTON, N. Y., May 30.—An event historically important marked the Memorial Day observances in this city today, when ninety-six years after his death, the body of New York's first Governor, George Clinton, was entombed here, the place of his birth.

The interment was in the historic First Reformed Church vault at 4 P. M. An hour previously Gov. Clinton's body was taken from the cruiser Wasp, which had brought it up from New York City. The casket was received by Company H, of Kingston, civil war veterans, descendants of Gov. Clinton, Chaplain Roswell R. Hoes, United States Navy, and citizens, and after a Vice-President's salute of 91 guns was fired, the march to the cemetery was made, the funeral being military.

In the procession to the cemetery were Civil War veterans, survivors of the Eighteenth, One Hundred and Twentieth and One Hundred and Fifty-sixth New York regiments; artillery companies and naval militia. The casket bearing the body of Gov. Clinton was escorted by the Guard of Honor, Lieut.-Gov. Chandler, representing Gov. Hughes, Adjutant-General Nelson, Henry and Louis, Brigadier-General James Lloyd, of Troy; former Gov. David B. Hill, descendants of Gov. Clinton and Chaplain Hoes, their representatives; Citizens' Committee and County and city officials.

Since his death, on April 20, 1812, while Vice President of the United States, Gov. Clinton's body had rested in the Congressional Cemetery at Washington, where it was disinterred three weeks ago.

Today's ceremonies were the culmination of a series of impressive ceremonies in which the State and Federal governments paid tribute to the memory of a distinguished citizen.

Only a driver was seen. His face was concealed in a heavy pair of goggles and a dark riding cloak concealed his figure. A broad brimmed cap with a short peak was pulled down over the goggles. As the machine got opposite the little group of patients the driver quickly clamped his brake and swung his chair to a full stop. Salke turned to his guard and said excitedly:

"Jingo! If that isn't my long lost pal, Mortimer. Well, of all things! And the racer he took the Berlin prize with, too! Must see him. Excuse me!"

With that Salke nimbly sprang into the road. In a flash he had whirled himself into an empty seat at the mysterious driver's side. In less than three seconds, machine, driver and patient were lost in a cloud of dust.

Quigley was too shocked to speak. He remembered to-day hearing a remark floating toward him as the car sped away like a "Be good to those boys, Jim, and don't worry. I'm off on a record tour."

Adroitly Managed.

The coup was so adroitly engineered that the twenty persons, who were not fifty feet away from the car, stood speechless as it chugged out of sight. A cry of alarm was not given until the car sped by the outer guard with the velocity of the wind.

According to Dr. Evans, Salke was admitted to the asylum on April 23 last on the petition of his son, Charles H. Salke, who was a resident of the asylum. Salke was a native of New York, and the son of Dr. J. Henry Clark and F. H. Baldwin, of Newark. He has a mild form of insanity, such as made him incompetent to manage his extensive business interests, the asylum authorities say. Evans court proceedings for his confinement were contemplated for June 11. Papers had already been served on him at the asylum.

Feared Court Proceeding.

Dr. Evans has learned that the racer here a Newark garage number, and hopes to locate the driver and machine. Mrs. Salke, the wife of Dr. No. 41 Beverly street, Newark, and the son of Dr. J. Henry Clark and F. H. Baldwin, of Newark. He has a mild form of insanity, such as made him incompetent to manage his extensive business interests, the asylum authorities say. Evans court proceedings for his confinement were contemplated for June 11. Papers had already been served on him at the asylum.

STABBER HELD IN \$1,000 BAIL.

Frank Laporte, of No. 14 Montgomery street, who was arrested last night, charged with stabbing Gerolamo Carlotto, of No. 41 Oliver street, was held by Magistrate Moore in the Essex Market Court today in \$1,000 bail for examination on Monday. Carlotto is in Gouverneur Hospital, and his condition is serious.

DIED.

HARRIGAN.—On May 29, 1908, BRIDGET HARRIGAN, a native of Cahal County, Tipperary, Ireland, widow of Patrick Harrigan.

Funeral from her late residence, 601 Green street, at 10 o'clock, at 9 P. M.

# MALWHELFED FROM ASYLUM IN AUTO FOUND

## Charles H. Salke Tells Even- ing World Reporter How He Escaped.

Charles H. Salke, the wealthy Jersey City plumber, whose dramatic escape from the Morris Plains Asylum in a racing auto at dusk last night furnished the most spectacular break for liberty recorded about New York in years, was this afternoon located in this city by Evening World reporters, with whom he freely discussed his wild flight.

Salke begged the reporters not to reveal his hiding place, adding that it was his intention to move elsewhere early this evening. He was laughing merrily over his escape in a conversation with Mrs. Adeline D. Smith, who is a friend of the family.

"Big joke, eh? Well, I guess we old fellows can go some yet, can't we?" he remarked. "So they worried about me over Dr. Evans's place of brain-storms? Nope, just a plain case of getting away from a place I don't like."

Wanted Seven Days.

"That kid in the big racer has been prowling about those tree-lined roads and paths for seven days. I have seen his dark flyer sneaking up under the trees long after dark, but I have never been able to meet him. You see, we arranged the escape more than ten days ago, but those guards would never allow me to go near the Dover road until last night."

Doctors and nurses and their wives at Morris Plains had a tea party on the lawn last night. The evening was ideal and the opportunity one of a lifetime.

"Who is the strange driver? Can't tell, but you can say he's one of the best cup racers in America. You can imagine the thrills that shoot through a fellow when he's making a break for freedom in a machine travelling seventy miles an hour. We express train ever quicker than any express train ever did, and here I am. I'm not crazy. I'll answer a subpoena to determine my competency to manage my business on June 11, but I don't want any policemen or State lunacy cops bothering me until then."

Wife Didn't Know It.

"My wife and my son did not know of my intention to escape. It's the greatest satisfaction of the world to know that your friends stand by you when stone walls separate you from them, and then to motor a machine about an asylum for a week, waiting for you. Friends make one's life happy," he added, slapping the reporter fully on the back and departing with the injunction: "Don't you give me away."

It was shortly after 6 o'clock that the peculiar car was seen loitering about under the overgrowing trees and darting back and forth among the brush-lined roads. As if timing action to the moment, the machine suddenly burst into view as the very last light of day faded.

Nurse James Quigley approached the small path near the roadway.

How He Escaped.

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# HAMMERSTEIN IS BACK, FAVORS THE SHEATH SKIRT

## Proud of Getting Both Melba and Tetrazzini for His Opera House.

Oscar Hammerstein got back from his two months' visit to Europe on the Campania today. Coming up the Bay he wore a yachting cap, but as soon as the ship passed the Statue of Liberty he dug out the old Hammerstein slat, put it on and became himself again.

"Fine," said Mr. Hammerstein when asked how he had enjoyed his trip. "I ought to have some medals on me for handling prima donnas and showing them their proper places. I have been busy, but very happy, and come home with about all my plans for next season complete. All that remains is to clear up some details which will require another trip abroad in August."

"I consider my last in getting Melba and Tetrazzini to consent to appear together on the stage of the Manhattan Opera House the best thing I did while abroad. There will be no trouble between these ladies. They entertain the highest admiration for each other. I assure you I am telling the truth," added Mr. Hammerstein earnestly.

Some of the Impresario's Finds.

"Another thing I am proud of," he continued, "is securing the services of Lavinia, the dramatic soprano, who has been all the rage in Berlin during the past season. She has created a furore there such as Tetrazzini created in London and New York."

"I have another find in Odette Valory, a dancer. I found her in a cafe in the slums of Budapest. She is the most voluptuous woman in appearance I have ever seen on the stage, and will set New York crazy. Her dancing ability is marvelous and her beauty is overpowered."

Mr. Hammerstein said he met his rival, Adolphus Dippel, one of the managers of the Metropolitan Opera House, at the Metropolitan Opera House. "They went to the opera together," said one of the reporters. "Says he will abolish the ballet at the Metropolitan Opera House."

"He can do it," replied Mr. Hammerstein. "He will do it. All the dancing himself next season."

Mr. Hammerstein talked at some length about the new, famous sheath skirt which he said he felt sure it will soon become a feature of the attire of New York women who have reason to be proud of the contour of their lower limbs.

"I am for the sheath skirt," declared Mr. Hammerstein. "I repeat I am for the sheath skirt. I have to hate to see all the women wearing it."

Nixon Talks of Croker.

Lewis Nixon was another passenger on the Campania. He has been abroad securing contracts for the construction of warships for a certain foreign nation. The ships will be built at the Nixon shipyard in Staten Island, N. J. Nixon spent a day with Richard Croker in Ireland and says the old Tammany politician is in the very best of health and spirits and keeping a sharp eye on politics in this country. Mr. Croker, Nixon says, thinks Bryan will be nominated by the Democrats.

Twenty members of the college Widom company, who are on their way to view a school of agriculture, had quarters in the Campania's second cabin. Their room was a fire as it were, and it also failed to roar.

"What could you expect?" asked one of the ladies of the chorus. "We had passed out charts and glossaries to the audience to post them in our slang. When an audience is engaged in looking through a dope sheet for definitions of words spoken on the stage, you can't look for a lot of appreciation."

DIED ON WAY TO STATION.

Husband Was Taking Her to the Country for Her Health.

Samuel Levy, of No. 83 Gates avenue, Brooklyn, started for Sullivan County today with his wife and daughter. For some time Mrs. Levy had been unable to get on her feet. When an audience is engaged in looking through a dope sheet for definitions of words spoken on the stage, you can't look for a lot of appreciation."

When they arrived in Manhattan they boarded an open car on the Second Avenue line to go to the Grand Central Station. When the car reached Essex street, Mrs. Levy suddenly gave a gasp and fell to the floor. She was carried into a shop at No. 55 Essex street, where she died before the arrival of an ambulance.

BOY DROWNS AT PLAY.

Douglas Costello, a four-year-old boy, of No. 189 West Two Hundred and Twenty-eighth street, went over to Quackenbush to play yesterday afternoon and failed to return home. Some boys said little Costello fell into the creek. John Carlotto, of No. 41 West Two Hundred and Twenty-eighth street, found the boy's dead body in the stream.

"Self Preservation